

# **YOUTH PROTECTION CURFEW ORDINANCE**

of the  
HOOPA VALLEY TRIBE  
Hoopa Valley Indian Reservation

**Title 41**  
Hoopa Valley Tribal Code

ORDINANCE NO: 2-96

DATE APPROVED: February 1, 1996

SUBJECT: Youth Protection Curfew Ordinance of the Hoopa Valley Indian Reservation.

WHEREAS: The Hoopa Valley Tribe adopted a Constitution and Bylaws (Tribal Constitution) on June 20, 1972, which was approved by the Commissioner of Indian Affairs on August 18, 1972, and ratified and confirmed by Congress on October 31, 1988, § 8 of Pub. L. 100-580, and amended on June 19, 1990, and, by tribal law, the sovereign authority of the Tribe over the matter described herein is delegated to the Hoopa Valley Tribal Council, acting by law, and

WHEREAS: The Tribal Council has concluded that it is necessary and proper to exercise tribal authority over minors' actions in public places within the exterior boundaries of the Hoopa Valley Reservation between the hours of 10:00 p.m. and 5:00 a.m., in order to protect tribal property interests and the public health and safety; and

WHEREAS: Pursuant to the process set forth in the Legislative Procedures Act § 6.9, the Tribal Council concludes that it is now appropriate to enact said Ordinance on a permanent basis, as modified by departmental comments and legal review developed during the review process.

THEREFORE BE IT NOW ORDAINED THAT: Pursuant to Section 6.9 of the Legislative Procedures Act, and the tribal constitutional and legal authorities recited herein, the Tribal Council hereby enacts the attached Youth Protection Curfew Ordinance, in order to protect the fundamental tribal values identified in Article IX § (I) thereof and the Tribe's sovereign governmental authority.

## **Section 1. Short Title, Findings and Purpose**

- 41.1.1 **Short Title:** This Ordinance shall be known as the **Youth Protection Curfew Ordinance** of the Hoopa Valley Tribe.
- 41.1.2 **Findings:** The Hoopa Valley Tribal Council hereby finds as follows:
- (a) That a critical need exists for a minor curfew ordinance. Minors under the age of eighteen possess a particular vulnerability to crime and harmful influence under certain circumstances or when not supervised or accompanied by a parent or legal guardian at night;
  - (b) That minors under the age of eighteen often lack the ability to make critical decisions in an informed and mature manner when exposed to night time influences.
- 41.1.3 **PURPOSE:** The purpose of this Ordinance is to regulate and protect the activities of minors between the hours of 10:00 p.m. at night and 5:00 a.m.
- A Curfew Ordinance can help to ensure that a minor's parent or legal guardian is able to play an important role in the minor's development and upbringing.
- 41.1.4 **SCOPE:** The provisions of this Ordinance shall apply to all minors, living within the exterior boundaries of the Hoopa Valley Indian Reservation.
- 41.1.5 **EFFECTIVE DATE:** This Ordinance will become effective and in force 30 days after passage.

## **Section 2. Definitions**

The definitions set forth in this part shall govern the application and interpretation of this Ordinance.

- 41.2.1 **CURFEW HOURS** - shall mean the hours between 10:00 p.m. and 5:00 a.m. for minors under the age of eighteen years old.